

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

NASHEEN ANDERSON, :  
Plaintiff, : CIVIL ACTION  
v. :  
CITY OF PHILADELPHIA, *et al.*, : NO. 11-6318  
Defendants. :  
: :  
:

**ORDER**

AND NOW, this 8<sup>th</sup> day of *August*, 2012, upon consideration of Defendants' <sup>1</sup> Motion for Summary Judgment (Docket No. 6), and Plaintiff's Response in Opposition (Docket No. 7), it is hereby ORDERED that Defendants' Motion is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. Given Plaintiff's express withdrawl in his Response in Opposition of all claims against Officers Lugo and Dougherty, as well as his withdrawl of his assault and battery and excessive force claims against Officer Fuentez, Defendants' Motion is **GRANTED** and **JUDGMENT IS ENTERED** in favor of Officers Lugo and Dougherty on all claims asserted against them and in favor of Officer Fuentez on the assault and battery and excessive force claims asserted against him;
2. The remainder of Defendants' Motion is **DENIED** in its entirety.

It is so ORDERED.

BY THE COURT:

*s/Ronald L. Buckwalter*  
RONALD L. BUCKWALTER, S.J.

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<sup>1</sup> The moving Defendants listed in the aforementioned Motion are: the City of Philadelphia, Sergeant Connell, Officer Fuentez, Officer Lackey, Officer Lugo, Officer Dougherty, Officer Quiles, and Officer Wright.

On July 9, 2012, the parties entered into a stipulation—which the Court signed and approved—that all counts against the City of Philadelphia and Officers Dougherty and Lugo would be dropped and that these parties would be dismissed as defendants from suit.

Moreover, Defendants' instant Motion for Summary Judgment does not include either Officer Hoover or Officer Hazzard as one of the moving officers. As such, the Court will presume that Defendants do not seek summary judgment on Plaintiff's claims as applied to either of these officers, and all claims against them shall therefore proceed to trial.

